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DATE MAILED: 12/14/2004

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,397	01/23/2004	Miles Blackwood		3375
7:	590 12/14/2004		EXAM	INER
MILES BLACKWOOD 3 FLINT COURT			CHERRY, EUNCHA P	
BUDERIM, QUEENSLAND, 4556		•	ART UNIT	PAPER NUMBER
AUSTRALIA	,		2872	· ·

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	10/766,397	BLACKWOOD, MI	BLACKWOOD, MILES		
Office Action Summary	Examiner	Art Unit	~		
	EUNCHA P. CHERRY	2872			
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the	correspondence add	dress		
A SHORTENED STATUTORY PERIOD FOR REPL' THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period of the period for reply within the set or extended period for reply will, by statute any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be to within the statutory minimum of thirty (30) dawill apply and will expire SIX (6) MONTHS from the application to become ABANDON	imely filed ays will be considered timely the mailing date of this co ED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on					
2a) This action is FINAL . 2b) ⊠ This	action is non-final.				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.			
Disposition of Claims		·			
4)⊠ Claim(s) <u>1-5</u> is/are pending in the application.		4			
4a) Of the above claim(s) is/are withdraw	wn from consideration.				
5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>1-5</u> is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/o	r election requirement.				
Application Papers					
9) The specification is objected to by the Examine	٠ ٢ .				
10) The drawing(s) filed on is/are: a) acc	epted or b)□ objected to by the	Examiner.			
Applicant may not request that any objection to the	drawing(s) be held in abeyance. Se	e 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the correct	ion is required if the drawing(s) is o	bjected to. See 37 CF	R 1.121(d).		
11)☐ The oath or declaration is objected to by the Ex	caminer. Note the attached Office	e Action or form PT	O-152.		
Priority under 35 U.S.C. § 119					
12)⊠ Acknowledgment is made of a claim for foreign a)⊠ All b)□ Some * c)□ None of:	priority under 35 U.S.C. § 119(a	a)-(d) or (f).			
1. Certified copies of the priority document	s have been received.				
2. Certified copies of the priority documents	s have been received in Applica	tion No			
3. Copies of the certified copies of the prior	rity documents have been receiv	ed in this National s	Stage		
application from the International Bureau					
* See the attached detailed Office action for a list	of the certified copies not receiv	ed.			
Attachment(s)					
1) Notice of References Cited (PTO-892)	4) 🔲 Interview Summar	y (PTO-413)			
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal 6) Other:	raterit Application (PTO	- 13 <i>2)</i>		
U.S. Patent and Trademark Office PTOL-326 (Rev. 1-04) Office Ac		art of Paper No./Mail Da	ate 12132004		

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DETAILED ACTION

Claim Objections

1. Claims 1 and 2 are objected to because of the following informalities: the phrases "the major portion", "the vertical surface area" and "the vertical mirrored surface" lack proper antecedent basis. It is not clear what those phrases are referring to. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Christianson (US Patent No. 5,604,633).

Christianson discloses a mirror equipment (Fig. 1) comprising a mirror (10), features disposed behind the mirrored surface for gathering water and structures disposed behind the mirrored surface for retaining water (14), wherein the water gathering features are several and are adjacent to the major portion of the vertical area of the back of the mirror (since

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the applicant fails to limit what are the gathering features and retaining structures 14 can be met the languages).

4. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Ealey et al (US Patent No. 5,094,519).

Ealey et al discloses a mirror equipment (Fig. 4) comprising a mirror (column 5, 52), features disposed behind the mirrored surface for gathering water and structures disposed behind the mirrored surface for retaining water (52), wherein the water gathering features are several and are adjacent to the major portion of the vertical area of the back of the mirror (see Fig. 4), a vertical surface of the mirror is utilized to admit water into water retaining structures (52), wherein the water retaining structures are composed of cellular or cavity (52).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUNCHA P. CHERRY whose telephone number is 571-272-2310. The examiner can normally be reached on M-F 6:30-4:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DREW DUNN can be reached on 571-272-2312. The fax phone number for the

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organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EUNCHA P. CHERRY

Primary Examiner

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